



Order Filed on January 15, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

STEVEN P. KELLY, ESQUIRE
Stern & Eisenberg, PC
1040 N. Kings Highway, Suite 407,
Cherry Hill, New Jersey 08034
Telephone: (609) 397-9200
FACSIMILE: (856) 667-1456
(COUNSEL FOR MOVANT)

In Re:

Myriame Duplan aka Myriame Berrios aka
Myriame Duplan Berrios
Debtor

U.S. Bank Trust, N.A., as Trustee for LSF9 Master
Participation Trust
Creditor/Movant

v.
Marie- Ann Greenburg
(Respondents)

Case Number: 16-16594-VFP

Chapter 13

Hearing:
Judge: Vincent F. Papalia

AMENDED ORDER APPROVING STIPULATION/CONDITIONAL ORDER SETTling THE
MOTION FOR RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following pages, numbered two(2) through four(4) is
hereby **ORDERED**.

DATED: January 15, 2019

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Myriame Duplan aka Myriame Berrios aka Myriame Duplan Berrios

Case Number: 16-16594-VFP

Caption of Order: Amended Order Approving Stipulation/Conditional Order Settling the Motion for Relief from the Automatic Stay

Upon the Motion of U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (Creditor) through its Counsel Stern & Eisenberg PC, attorneys for secured creditor, under Bankruptcy Code (section 362(d), et al.) for relief from the automatic stay as to certain property, 72 Willow Way, Wanaque, NJ 07465 ("Property"), and the entry of the Order settling the Motion for Relief and for cause shown, it is hereby ORDERED and DECREED as follows:

1. At the date of this Order, Myriame Duplan aka Myriame Berrios aka Myriame Duplan Berrios ("Debtor") acknowledges that Debtor is due for the following post-petition regular monthly payments from 08/01/2017 to 11/01/2018 as follows:
 - a. Monthly payments total (\$2,741.30 for 8/1/17, \$2,753.74 9/1/17- 9/1/18, \$2,896.24 for 10/1/18- 11/1/18): \$44,332.40
 - b. Post-petition suspense balance: (\$188.80)
 - c. Attorney Fees: \$1,031.00
 - d. Total arrears as of date of Order: \$45,174.60
2. Debtor shall cure the Arrears as set forth above by paying 1/6 of the Arrears per month (\$7,529.10) for the next ~~six~~ months together with the regular monthly mortgage payment (currently \$2,896.24) for a total monthly payment of \$10,425.34 for the next 6 months beginning in December. In the event the regular monthly payment changes for any reason, then the amount due pursuant to paragraph 2 shall be adjusted accordingly. Thereafter, Debtor agrees to continue making the regular monthly mortgage payment.
3. Payments due in accordance with this Order shall be due on or before the 1st day of each month.
4. Debtor shall make the regular monthly payments required to the Trustee.
5. All payments due to the Creditor from the Debtor are to be made directly to Caliber Home Loans, Inc., and making sure that Creditor's loan number appears on all payments.
6. In the event that Movant alleges that Debtor has failed to comply with obligations under paragraph 3 & 5 of this Consent Order/Stipulation, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust and/or Counsel may give Debtors and Debtors' counsel notice of the default and if such default is not cured within ten (10) days of said notice, upon certification to the court of such default, and request for Order, with a copy to Debtors and Debtors' counsel, the Court may grant U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust immediate relief from the bankruptcy stay, per the form of attached Order which is made part hereof as Exhibit "A". Debtors shall pay attorney's fees for each notice of default issued by Movant as a result of the Debtors' failure to comply with this Consent Order/Stipulation.

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Debtor: Myriame Duplan aka Myriame Berrios aka Myriame Duplan Berrios

Case Number: 16-16594-VFP

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7. The failure by the Creditor, at any time, to file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of Creditor's rights hereunder. In the event Debtor fails to comply with the terms of this Order for more than 30 days, Creditor U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust may submit a certification of default and proposed Order for Relief from the Automatic Stay to the court and serve a copy of such Certification of Default upon the Debtor and Debtor's counsel. Fourteen days after receipt of a Certification of Default, the court will enter an order granting U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust relief from the automatic stay unless the Debtor has filed an objection to the Certification of Default specifying reasons for the objection; in which case the court will set a hearing on the objection.
8. Upon issuance of the aforesaid Order, the parties hereto further agree that U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectment thereafter.
9. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date the case is converted. If Debtor fails to make payments in accordance with this paragraph then the Creditor, through Counsel, may file a certification setting forth said failure and the Creditor shall be granted immediate relief from the automatic stay and may also request entry of the form of Order attached as Exhibit "A".



DAVID L. STEVENS, ESQUIRE
COUNSEL FOR DEBTOR

/s/ STEVEN P. KELLY, ESQUIRE

STEVEN P. KELLY, ESQUIRE
STERN & EISENBERG, PC
ATTORNEY FOR CREDITOR

This Order amends and supercedes the Order entered on October 25, 2018 at Docket No. 146.

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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Case Number: 16-16594-VFP

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Judge: Vincent F. Papalia

AMENDED ORDER GRANTING RELIEF FROM AUTOMATIC STAY AND IN REM RELIEF
FOLLOWING CERTIFICATION OF DEFAULT OF CONDITIONAL ORDER /STIPULATION

Upon Motion of U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (Creditor) for relief and a Certification of Default having been filed in accordance with the Order/Stipulation Resolving the Motion, it is hereby ORDERED AND DECREED that Movant, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (Creditor) (and any assignee/successor-in-interest) is granted relief from the stay of 11 U.S.C. §362, et al. to proceed with its mortgage foreclosure action and Sheriff's Sale (and all other rights under state and federal law) concerning the Property: 72 Willow Way, Wanaque, NJ 07465 ("Property")

It is further ORDERED and DECREED that the 14-day stay pursuant to BKRP 4001(a)(3) is hereby waived.